

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16916 of 2006

Date : 11-8-2006

Between:

Pamu Appala Naidu, S/o.P.Nookaraju
Aged 34 years, Hindu, r/o.G.Gunda
Mandalam, (via) Narsipatnam,
Visakhapatnam District.

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Petitioner

And

1. Government of Andhra Pradesh,
represented by its Secretary,
Panchayat Raj, Secretariat
Buildings, Hyderabad.

2. District Collector,
Visakhapatnam District.

3. District Election Officer,
Yetigairampeta Panchayat
of Goulukoulu Mandalam,
Visakhapatnam District.

4. Nallibilli Nookaraju s/o.
late N.Sanyasi
R/o.G.Gunda Mandalam
(via) Narsipatnam,
Visakhapatnam District.

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Respondents

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ORDER:

Heard the Counsel on record.

The Writ Petition is filed to declare the election of Nallibilli Nookaraju as Sarpanch of Yetigairampeta village as illegal, invalid, null and void and consequently to declare the petitioner as the elected Sarpanch of Yetigairampeta village.

The main objection is that the date of nominations of Sarpanch started on 15-7-2006 and the petitioner submitted his nomination on 16-7-2006 and the 4th respondent submitted his nomination on 17-7-2006 before the Scutinising Officer. The petitioner opposed the nomination of the 4th respondent before the Election Officer in writing on the basis of G.O.Ms.No.190, dated 30-5-1995 as the 4th respondent has three children born before 30-5-1995. It is also stated that proof also had been submitted. Hence the 4th respondent is disqualified under Section 19(3) of A.P. Panchayat Raj Act. Several other factual details also had been narrated and aggrieved by the same the petitioner carried the matter to the Revenue Divisional Officer, District

Collector, District Election Officer and also the Election Commissioner of the State producing all the material which would show the disqualification of the 4th respondent. In such circumstances, the petitioner is approaching this Court.

It is needless to say that the aspect of disqualification may have to be gone into at the appropriate stage by way of Election Petition. Liberty is given to the petitioner to approach the appropriate Election Tribunal. The Writ Petition is accordingly disposed of. No costs.

Justice P.S. Narayana

Date : 11-8-2006

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